

Notice of Allowability

Application No.

09/098,481

Applicant(s)

MIK ET AL.

Examiner

Olabode Akintola

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed on 11/20/2007.
2. ☒ The allowed claim(s) is/are 57-61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>10/04/2007</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 57-61 are allowed.

Examiner's Statement of Reason for allowance

2. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record, *Boyer et al* (US 6208973) Boyer teaches a method for processing a charge applied to at least one of a credit card account and a debit card account, the method comprising: receiving charge data that indicates a transaction amount, a merchant, and at least one of a credit card account and a debit card account of an account holder in which the reimbursement rule indicates a reimbursement condition and a reimbursement party (col. 3, lines 9-38; col. 4, lines 24-48); determining a financial account of a reimbursing party that corresponds to the at least one of the credit card account and the debit card account (col. 3, lines 9-38; col. 4, lines 24-48); determining a reimbursement amount that corresponds to the at least one of the credit card account and the debit card account, wherein the step of determining the reimbursement amount comprises (col. 6, lines 13-23; col. 11, lines 35-63); determining a whether the charge data satisfies the reimbursement rule based on the reimbursement condition and the indication of the merchant (col. 6, lines 13-25; col. 7, lines 1-10; figs. 2B and 5); determining a reimbursement amount based n reimbursement rule and charge data; applying to the at least one of the credit card account and the debit card account a first charge amount that is based on a difference between the transaction amount and the reimbursement amount, if the

charge data satisfies the reimbursement rule (col. 11, lines 35-63; col. 3, lines 30-38); and applying to the financial account a second charge amount based on the reimbursement amount, if the charge data satisfies the reimbursement rule (col. 11, lines 35-63; col. 3, lines 30-38).

Levaro, R. (Credit world, may/Jun 1996) discloses a “trip-in-a-bag” concept that allows card providers and client companies to follow a central pay model that uses an electronic billing and settlement system. The card issuer sends an electronic billing file to the company for the expenses of the employees during a billing period and the company settles the bill (abstract, paragraphs 12-18).

Zubeck, P. (The Gazette, Colorado Springs, CO., May 24, 1998) is cited for teaching a concept whereby a patient is billed by a hospital if the hospital does not receive payment from the insurance company within 45 days (paragraph 17).

Boyer, Levaro and Zubeck fail to teach the steps comprising: determining whether the reimbursing party has remitted a payment of the second charge amount within the period of time for the reimbursing party to remit payment; and applying the second charge amount to the credit card account if the reimbursing party has not remitted a payment of the second charge amount within the period of time for the reimbursing party to remit payment.

For this reason, claims 57-61 are deemed to be allowable over prior art of record.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reason for Allowance”.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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HANI M. KAZIMI
PRIMARY EXAMINER